

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

<b>IN RE:</b>	§
	§
<b>STEWARD HEALTH CARE SYSTEM</b>	§
<b>LLC, et al.,<sup>1</sup></b>	§
	§
<b>DEBTORS</b>	§

**CASE NO. 24-90213 (CML)  
(Chapter 11)  
(Jointly Administered)**

**SHANNON REAL ESTATE SERVICES, AS SUCCESSOR-IN-INTEREST TO CCI  
BIG SPRING, LLC's, SECOND AMENDED OBJECTION AND RESERVATION OF  
RIGHTS TO NOTICE OF CURE COSTS AND POTENTIAL ASSUMPTION  
AND ASSIGNMENT OF EXECUTORY CONTRACTS AND  
UNEXPIRED LEASES IN CONNECTION WITH SALE**  
**[THIS INSTRUMENT RELATES TO DOCKET NOS. 1643, 1730, 1979 and 2697]**

Shannon Real Estate Services ("Shannon" or "Landlord"), as successor-in-interest to CCI Big Spring, LLC ("CCI"), hereby submits its Second Amended Objection and Reservation of Rights (the "Objection") to the *Notice of Cure Costs and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale* [Docket No. 1643] (the "Cure Notice"), and the *Notice of Designation of Quorum Health As Designated Operator For, and Sale of, Odessa Regional Medical Center and Scenic Mountain Medical Center* [Docket No. 2697], filed by the above-captioned debtors and debtors-in-possession (the "Debtors") and respectfully states as follows in support thereof.

**FACTUAL BACKGROUND**

1. On May 6, 2024 (the "Petition Date"), the Debtors each filed voluntary petitions for relief under chapter 11 of the Bankruptcy Code, commencing these bankruptcy cases.

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<sup>1</sup> A complete list of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors' proposed claims and noticing agent at <https://restructuring.ra.kroll.com/Steward>. The Debtors' service address for these chapter 11 cases is 1900 N. Pearl Street, Suite 2400, Dallas, Texas 75201.

2. Prior to the Petition Date, and subject to and without waiver of the arguments set forth herein, including, without limitation, in paragraph 12 below, the predecessor-in-interest to Shannon<sup>2</sup> and Steward Texas Hospital Holdings LLC a/k/a Scenic Mountain Medical Center (the "Tenant") entered into the following (collectively and as amended, restated, or supplemented, the "Lease"):

- (a) that certain Tenant Lease and Occupancy Agreement dated August 2, 2018, by and between the Tenant and the Original Landlord, as amended by that Amendment to Lease Agreement, by and between the Tenant and Original Landlord, dated September 5, 2018, and as further amended by that Second Amendment Lease Agreement, by and between the Tenant and the Original Landlord, dated October 1, 2020 covering Suite 101 medical office building located at 1501 West 11<sup>th</sup> Place, Big Spring, TX 79720 (as further described by the Lease, the "Premises");
- (b) that certain Tenant Lease and Occupancy Agreement, by and between the predecessor-in-interest to the Tenant and the Original Landlord, dated September 26, 2016, as amended, and assigned to the Tenant pursuant to that certain Assignment and Assumption of Tenant Lease and Occupancy Agreement, dated April 28, 2020, covering Suite 304 at the Premises;
- (c) that certain Tenant Lease and Occupancy Agreement, by and between the Tenant and the Original Landlord, dated November 17, 2016, as amended, covering Suite 305 at the Premises;
- (d) that certain Tenant Lease and Occupancy Agreement dated September 15, 2016, by and between the Tenant and the Original Landlord, as amended, covering Suites 100, 104, 106, 110, 200, 201, 204/206, and 205 at the Premises;
- (e) that certain Control and Support Agreement, by and between the Original Landlord and the Tenant, dated February 18, 2016;
- (f) that certain Omnibus Amendment to Lease Agreements by and among

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<sup>2</sup> Shannon is the successor-in-interest to CCI (the "Prior Landlord") pursuant to that certain Assignment and Assumption of Leases, dated August 2, 2024 (the "Assignment"). CCI is the successor-in-interest to Texas Healthcare Holdings II, LLC (the "Original Landlord") pursuant to that certain Assignment and Assumption of Leases, dated June 14, 2021 (the "Original Assignment").

the Tenant, the Original Landlord, and certain other parties, dated May 16, 2016; and (g) that certain Second Omnibus Amendment to Lease Agreements by and among the Tenant, the Original Landlord, and certain other parties, dated October 1, 2016.

3. Pursuant to the Lease, the Tenant is responsible for monthly Base Rent (as defined by the Lease), Tenant Proportionate Share of Additional Rent (as defined by the Lease) and the Contingent Rent Shortfall (as defined by the Lease), Operating Costs Obligation (as defined by the Lease) and other amounts (including attorneys' fees) due and owing under the Lease.

4. The Tenant occupied the Premises prior to the Petition Date. Since the Petition Date, the Tenant has continued to occupy the Premises and use the Premises to operate its business.

5. As of July 29, 2024, the Tenant is indebted to the Landlord in the amount of at least \$171,322.89 related to amounts that are due and owing in connection with the Lease, plus unpaid attorneys' fees in the amount of at least \$20,000.00, and all other amounts that continue to accrue under the Lease (the "Correct Cure Amount"). A ledger reflecting the Correct Cure Amount is attached hereto as **Exhibit "A."**

6. On May 15, 2024, the Debtors filed the *Emergency Motion of Debtors for Order (I) Approving (A) Global Bidding Procedures for Sales of the Debtors' Assets, (B) Form and Manner of Notice of Sales, Auctions and Sale Hearings, and (C) Assumption and Assignment Procedures and Form and Manner of Notice of Assumption and Assignment; (II) Authorizing Designation of Stalking Horse Bidders; (III) Scheduling Auctions and Sale Hearings; (IV) Granting Related Relief; (V) Approving Cure Notice Procedures for Executory Contracts and Unexpired Leases; and (VI) Granting Other Relief* [Docket No. 281] (the "Bid Procedures

Motion"), pursuant to which the Debtors sought, among other things, the approval of bidding procedures for the sale(s) of the Debtors' assets.

7. On June 3, 2024, the Court entered its *Order (I) Approving (A) Global Bidding Procedures for Sales of the Debtors' Assets, (B) Form and Manner of Notice of Sales, Auctions and Sale Hearings, and (C) Assumption and Assignment Procedures and Form and Manner of Notice of Assumption and Assignment; (II) Authorizing Designation of Stalking Horse Bidders; (III) Scheduling Auctions and Sale Hearings; (IV) Granting Related Relief; (V) Approving Cure Notice Procedures for Executory Contracts and Unexpired Leases; and (VI) Granting Other Relief* [Docket No. 626] (the "Bid Procedures Order").

8. On July 19, 2024, consistent with the Bid Procedures Order, the Debtors filed the Cure Notice. The Cure Notice states that the Cure Costs (as defined by the Cure Notice) for the Lease is \$80,906.50 (the "Proposed Cure Amount"). **The Proposed Cure Amount is not correct and, as set forth more fully in paragraph 12 below, the Lease may not be an unexpired lease or executory contract of the Debtor as those terms are defined in Section 365 of the Bankruptcy Code because the Lease was purported to be signed by a legal entity that did not exist at that time.**

9. On July 29, 2024, CCI, as the Prior Landlord, filed *CCI Big Spring, LLC's Objection and Reservation of Rights to Notice of Cure Costs and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection With Sale* [Docket No. 1730](the "Original Cure Cost Objection").

10. On August 14, 2024, Shannon filed *Shannon Real Estate Services, as Successor-In-Interest to CCI Big Spring, LLC's, First Amended Objection and Reservation of Rights to Notice of Cure Costs and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection With Sale* [Docket No. 1979](the "First Amended Cure Cost

Objection") to reflect, among other things, that Shannon is the successor-in-interest and current Landlord and counterparty-in-interest under the Lease.

11. This Objection amends the First Amended Cure Cost Objection to reflect, among other things, that the Lease may not be an unexpired lease or executory contract of the Debtor as those terms are defined in Section 365 of the Bankruptcy Code because the Lease was purported to be signed by a legal entity that did not exist at that time, as described more fully in paragraph 12 below.

12. Upon further investigation, Shannon has discovered that the Lease was purported to be signed by Scenic Mountain Medical Center Inc., a Texas corporation dba Scenic Mountain Medical Center ("SMMC"). Pursuant to Articles of Merger filed with the Texas Secretary of State on December 30, 1994, SMMC merged with Big Spring Hospital Corporation on December 30, 1994. Pursuant to the Articles of Merger, the related Plan of Merger, and the related Certification of Account Status of the Texas Comptroller, true and correct copies of which are attached hereto collectively as **Exhibit "B"**, all the stock of SMMC was cancelled as of December 30, 1994, the stock of Big Spring Hospital Corporation remained outstanding as the shares of the surviving corporation, Big Spring Hospital Corporation became the surviving corporation, and the Texas Comptroller certified that SMMC was "out of business" as of that time. Thus, and in the alternative to the extent necessary, the (purported) Lease is not an "unexpired lease" or "executory contract" of the Debtor as those terms are defined in Section 365 of the Bankruptcy Code because the (purported) Lease was purported to be signed by a legal entity that did not exist as of the date the Lease was signed. *See, e.g., Kahn v. Imperial Airport, L.P.*, 308 S.W.3d 432, 438 (Tex.App.—Dallas 2010, no pet.)(stating that one cannot sign for and bind a legal entity that does not exist).

**OBJECTION**

13. The Landlord objects to the proposed assumption and/or assumption and assignment of the Lease because the Tenant has failed to comply with the Bankruptcy Code, particularly Section 365(b) and (f)(2).

14. The Lease is an "unexpired lease" as that term is defined in Section 365(b)(1) of the Bankruptcy Code. Pursuant to Sections 365(b)(1) and (f)(2) of the Bankruptcy Code, the Tenant may not assume and assign the Lease unless it: (i) cures or provides adequate assurance that it will promptly cure any monetary default(s) under the Lease; and (ii) compensates the Landlord for any actual pecuniary loss resulting from any default under the Lease. 11 U.S.C. § 365(b) and (f).

15. The Cure Notice does not comply with Sections 365(b) and (f)(2) of the Bankruptcy Code, as it does not provide for Shannon to be paid the Correct Cure Amount.

16. Alternatively, the Lease is not an "unexpired lease" or "executory contract" as those terms are defined in Section 365 of the Bankruptcy Code because the (purported) Lease was purported to be signed by a legal entity that did not exist as of the date the Lease was purportedly signed. Shannon reserves all rights to object to the proposed assumption or assumption and assignment of the (purported) Lease on these grounds.

**JOINDER**

17. Shannon joins in the objections filed by Debtors' other landlords to the extent that such objections are not inconsistent with the relief requested in this Objection.

**RESERVATION OF RIGHTS**

18. Shannon reserves all rights to amend or supplement this Objection and to make such other and further objections as it may deem necessary and appropriate. Shannon reserves all rights to file an Adequate Assurance Objection (as defined by the Cure Notice).

19. Shannon hereby reserves its rights to make such other and further objections as may be appropriate, including, but not limited to, additional objections regarding assignment or adequate assurance of future performance of the Lease pursuant to Section 365 of the Bankruptcy Code. Shannon further reserves its right to amend or supplement the Correct Cure Amount, including to amend or supplement: (a) any post-petition rent and other charges pursuant to the Lease; (b) certain amounts due and owing under the Lease, but which may be unbilled as of the date hereof; or (c) any regular or periodic adjustment of charges under the Lease, which were not or had not been determined as of the date hereof.

20. Shannon further reserves all rights and remedies with respect to the assumption and/or rejection of the Lease and any administrative claim(s) that it may be entitled to assert related to the Lease, the Debtors' performance or nonperformance thereunder, and all rights, remedies and further objections available to Shannon as a result of Debtors' occupancy of the Premises, whether on a month-to-month tenancy or otherwise.

**PRAYER**

Shannon Real Estate Services respectfully requests that: (i) any order entered that establishes the Correct Cure Amount and (ii) grant Shannon such other and further relief to which it may be justly entitled, both at law and in equity.

**DATED: September 30, 2024**

Respectfully submitted,

POPE, HARDWICKE, CHRISTIE, SCHELL,  
KELLY & TAPLETT, L.L.P.

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ATTORNEYS FOR SHANNON REAL ESTATE  
SERVICES, a Texas nonprofit corporation

**CERTIFICATE OF SERVICE**

I hereby certify that on September 30, 2024, a true and correct copy of the foregoing document was electronically mailed to the parties that are registered or otherwise entitled to receive electronic notices in these cases pursuant to the Electronic Filing Procedures in this District and via first-class mail and email on the parties listed below.

/s/ Matthew T. Taplett

Matthew T. Taplett

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# EXHIBIT A

7/29/2024 11:59 AM

**Aging Detail**

DB Caption: Inv 07/16/2021 Property: b283 Status: Current, Past, Future Age As Of: 07/31/2024 Post To: 07/2024

Property	Customer	Lease	Status	Tran#	Charge Date	Month	Current Owed	Owed	31-60 Owed	61-90 Owed	Over 90 Owed	Pre-Payments	Total Owed	
<b>CCI Big Spring, LLC - 1501 W 11th (b283)</b>														
Dr. Carrasco (t283304)	b283	Dr. Carrasco	Current	C-127784	base	4/1/2024	4/1/2024	3,208.92	0.00	0.00	0.00	3,208.92	0.00	3,208.92
	b283	Dr. Carrasco	Current	C-127785	camest	4/1/2024	4/1/2024	3,250.29	0.00	0.00	0.00	3,250.29	0.00	3,250.29
	b283	Dr. Carrasco	Current	C-127786	capex	4/1/2024	4/1/2024	166.00	0.00	0.00	0.00	166.00	0.00	166.00
	b283	Dr. Carrasco	Current	C-129693	late	4/15/2024	4/1/2024	331.26	0.00	0.00	0.00	331.26	0.00	331.26
	b283	Dr. Carrasco	Current	C-130090	base	5/1/2024	5/1/2024	3,208.92	0.00	0.00	0.00	3,208.92	0.00	3,208.92
	b283	Dr. Carrasco	Current	C-130091	camest	5/1/2024	5/1/2024	3,250.29	0.00	0.00	0.00	3,250.29	0.00	3,250.29
	b283	Dr. Carrasco	Current	C-130092	capex	5/1/2024	5/1/2024	166.00	0.00	0.00	0.00	166.00	0.00	166.00
	b283	Dr. Carrasco	Current	C-131958	late	5/10/2024	5/10/2024	400.83	0.00	0.00	0.00	400.83	0.00	400.83
	<b>Dr. Carrasco</b>						<b>13,982.51</b>	<b>0.00</b>	<b>0.00</b>	<b>400.83</b>	<b>12,581.68</b>	<b>0.00</b>	<b>13,982.51</b>	
<b>Dr. Chavez (t283205)</b>														
	b283	Dr. Chavez	Current	C-127778	base	4/1/2024	4/1/2024	2,736.79	0.00	0.00	0.00	2,736.79	0.00	2,736.79
	b283	Dr. Chavez	Current	C-127779	camest	4/1/2024	4/1/2024	3,041.85	0.00	0.00	0.00	3,041.85	0.00	3,041.85
	b283	Dr. Chavez	Current	C-127780	capex	4/1/2024	4/1/2024	155.00	0.00	0.00	0.00	155.00	0.00	155.00
	b283	Dr. Chavez	Current	C-129694	late	4/15/2024	4/1/2024	296.68	0.00	0.00	0.00	296.68	0.00	296.68
	b283	Dr. Chavez	Current	C-130084	base	5/1/2024	5/1/2024	2,736.79	0.00	0.00	0.00	2,736.79	0.00	2,736.79
	b283	Dr. Chavez	Current	C-130085	camest	5/1/2024	5/1/2024	3,041.85	0.00	0.00	0.00	3,041.85	0.00	3,041.85
	b283	Dr. Chavez	Current	C-130086	capex	5/1/2024	5/1/2024	155.00	0.00	0.00	0.00	155.00	0.00	155.00
	b283	Dr. Chavez	Current	C-131959	late	5/10/2024	5/10/2024	358.99	0.00	0.00	0.00	358.99	0.00	358.99
	<b>Dr. Chavez</b>						<b>12,522.95</b>	<b>0.00</b>	<b>0.00</b>	<b>358.99</b>	<b>12,163.96</b>	<b>0.00</b>	<b>12,522.95</b>	
<b>Family Medical Center OB/Gyn (t283200)</b>														
	b283	Family Medical Center OB/Gyn	Current	C-127769	base	4/1/2024	4/1/2024	2,454.38	0.00	0.00	0.00	2,454.38	0.00	2,454.38
	b283	Family Medical Center OB/Gyn	Current	C-127770	camest	4/1/2024	4/1/2024	2,727.97	0.00	0.00	0.00	2,727.97	0.00	2,727.97
	b283	Family Medical Center OB/Gyn	Current	C-127771	capex	4/1/2024	4/1/2024	139.00	0.00	0.00	0.00	139.00	0.00	139.00
	b283	Family Medical Center OB/Gyn	Current	C-129695	late	4/15/2024	4/1/2024	266.07	0.00	0.00	0.00	266.07	0.00	266.07
	b283	Family Medical Center OB/Gyn	Current	C-130075	base	5/1/2024	5/1/2024	2,454.38	0.00	0.00	0.00	2,454.38	0.00	2,454.38
	b283	Family Medical Center OB/Gyn	Current	C-130076	camest	5/1/2024	5/1/2024	2,727.97	0.00	0.00	0.00	2,727.97	0.00	2,727.97
	b283	Family Medical Center OB/Gyn	Current	C-130077	capex	5/1/2024	5/1/2024	139.00	0.00	0.00	0.00	139.00	0.00	139.00
	b283	Family Medical Center OB/Gyn	Current	C-131960	late	5/10/2024	5/10/2024	321.94	0.00	0.00	0.00	321.94	0.00	321.94
	<b>Family Medical Center OB/Gyn</b>						<b>11,230.71</b>	<b>0.00</b>	<b>0.00</b>	<b>321.94</b>	<b>10,908.77</b>	<b>0.00</b>	<b>11,230.71</b>	
<b>Family Medical Center X-Ray (t283110)</b>														
	b283	Family Medical Center X-Ray	Current	C-127766	base	4/1/2024	4/1/2024	1,231.00	0.00	0.00	0.00	1,231.00	0.00	1,231.00
	b283	Family Medical Center X-Ray	Current	C-127767	camest	4/1/2024	4/1/2024	1,368.23	0.00	0.00	0.00	1,368.23	0.00	1,368.23
	b283	Family Medical Center X-Ray	Current	C-127768	capex	4/1/2024	4/1/2024	70.00	0.00	0.00	0.00	70.00	0.00	70.00

**Aging Detail**

DB Caption: live 07/16/2021 Property: b283 Status: Current, Past, Future Age As Of: 07/31/2024 Post To: 07/2024

Property	Customer	Lease	Status	Trans#	Charge	Date	Month	Current	0-30	31-60	61-90	Over	Pre	Total
					Code		Owed	Owed	Owed	Owed	Owed	Paid	Payments	Owed
b283	c283	Family Medical Center X-Ray	Current	C-129696	late	4/15/2024	04/2024	133.46	0.00	0.00	0.00	133.46	0.00	133.46
b283	c283	Family Medical Center X-Ray	Current	C-130072	base	5/1/2024	05/2024	1,231.00	0.00	0.00	0.00	1,231.00	0.00	1,231.00
b283	c283	Family Medical Center X-Ray	Current	C-130073	camest	5/1/2024	05/2024	1,368.23	0.00	0.00	0.00	1,368.23	0.00	1,368.23
b283	c283	Family Medical Center X-Ray	Current	C-130074	capex	5/1/2024	05/2024	70.00	0.00	0.00	0.00	70.00	0.00	70.00
b283	c283	Family Medical Center X-Ray	Current	C-131961	late	5/10/2024	05/2024	161.49	0.00	0.00	0.00	161.49	0.00	161.49
							<b>5,633.41</b>	<b>0.00</b>	<b>0.00</b>	<b>161.49</b>	<b>0.00</b>	<b>5,471.92</b>	<b>0.00</b>	<b>5,633.41</b>

**Family Medical Surgery Department (t283100)**

b283	c283	Family Medical Surgery Department	Current	C-127754	base	4/1/2024	04/2024	2,780.40	0.00	0.00	0.00	2,780.40	0.00	2,780.40
b283	c283	Family Medical Surgery Department	Current	C-127755	camest	4/1/2024	04/2024	3,090.32	0.00	0.00	0.00	3,090.32	0.00	3,090.32
b283	c283	Family Medical Surgery Department	Current	C-127756	capex	4/1/2024	04/2024	158.00	0.00	0.00	0.00	158.00	0.00	158.00
b283	c283	Family Medical Surgery Department	Current	C-129697	late	4/15/2024	04/2024	301.87	0.00	0.00	0.00	301.87	0.00	301.87
b283	c283	Family Medical Surgery Department	Current	C-130060	base	5/1/2024	05/2024	2,780.40	0.00	0.00	0.00	2,780.40	0.00	2,780.40
b283	c283	Family Medical Surgery Department	Current	C-130061	camest	5/1/2024	05/2024	3,090.32	0.00	0.00	0.00	3,090.32	0.00	3,090.32
b283	c283	Family Medical Surgery Department	Current	C-130062	capex	5/1/2024	05/2024	158.00	0.00	0.00	0.00	158.00	0.00	158.00
b283	c283	Family Medical Surgery Department	Current	C-131962	late	5/10/2024	05/2024	365.17	0.00	0.00	0.00	365.17	0.00	365.17
							<b>12,767.77</b>	<b>0.00</b>	<b>0.00</b>	<b>365.17</b>	<b>0.00</b>	<b>12,402.60</b>	<b>0.00</b>	<b>12,767.77</b>

**Family Medical Surgery Department**

b283	c283	MHMR	Current	C-127270	late	3/10/2024	03/2024	542.96	0.00	0.00	0.00	542.96	0.00	542.96
b283	c283	MHMR	Current	C-127760	base	4/1/2024	04/2024	4,077.92	0.00	0.00	0.00	4,077.92	0.00	4,077.92
b283	c283	MHMR	Current	C-127761	camest	4/1/2024	04/2024	4,532.48	0.00	0.00	0.00	4,532.48	0.00	4,532.48
b283	c283	MHMR	Current	C-127762	capex	4/1/2024	04/2024	232.00	0.00	0.00	0.00	232.00	0.00	232.00
b283	c283	MHMR	Current	C-129698	late	4/15/2024	04/2024	454.01	0.00	0.00	0.00	454.01	0.00	454.01
b283	c283	MHMR	Current	C-130065	base	5/1/2024	05/2024	4,077.92	0.00	0.00	0.00	4,077.92	0.00	4,077.92
b283	c283	MHMR	Current	C-130067	camest	5/1/2024	05/2024	4,532.48	0.00	0.00	0.00	4,532.48	0.00	4,532.48
b283	c283	MHMR	Current	C-130068	capex	5/1/2024	05/2024	232.00	0.00	0.00	0.00	232.00	0.00	232.00
b283	c283	MHMR	Current	C-131963	late	5/10/2024	05/2024	546.98	0.00	0.00	0.00	546.98	0.00	546.98
							<b>19,375.09</b>	<b>0.00</b>	<b>0.00</b>	<b>546.98</b>	<b>0.00</b>	<b>19,328.11</b>	<b>0.00</b>	<b>19,875.09</b>

**SMMC Bone Density/Mammo (t283201)**

b283	c283	SMMC Bone Density/Mammo	Current	C-127271	late	3/10/2024	03/2024	247.45	0.00	0.00	0.00	247.45	0.00	247.45
b283	c283	SMMC Bone Density/Mammo	Current	C-127772	base	4/1/2024	04/2024	1,875.41	0.00	0.00	0.00	1,875.41	0.00	1,875.41
b283	c283	SMMC Bone Density/Mammo	Current	C-127773	camest	4/1/2024	04/2024	2,084.45	0.00	0.00	0.00	2,084.45	0.00	2,084.45
b283	c283	SMMC Bone Density/Mammo	Current	C-127774	capex	4/1/2024	04/2024	106.00	0.00	0.00	0.00	106.00	0.00	106.00

**Aging Detail**

DB Caption: live 07/16/2021 Property: b283 Status: Current/Past Future Age As Of: 07/31/2024 Post To: 07/2024

Property	Customer	Lease	Status	Tran#	Charge Date	Month	Current Owed	0-30 Owed	31-60 Owed	61-90 Owed	Over 90 Owed	Prepayments	Total Owed
<b>SMMC Bone Density/Mammo</b>													
b283	c283	SMMC Bone Density/Mammo	Current	C-129699	late	4/15/2024	04/2024	208.74	0.00	0.00	208.74	0.00	208.74
b283	c283	SMMC Bone Density/Mammo	Current	C-130078	base	5/1/2024	05/2024	1,875.41	0.00	0.00	1,875.41	0.00	1,875.41
b283	c283	SMMC Bone Density/Mammo	Current	C-130079	camest	5/1/2024	05/2024	2,084.45	0.00	0.00	2,084.45	0.00	2,084.45
b283	c283	SMMC Bone Density/Mammo	Current	C-130080	capex	5/1/2024	05/2024	106.00	0.00	0.00	106.00	0.00	106.00
b283	c283	SMMC Bone Density/Mammo	Current	C-131964	late	5/10/2024	05/2024	251.49	0.00	0.00	251.49	0.00	251.49
<b>SMMC Bone Density/Mammo</b>							<b>9,136.65</b>	<b>0.00</b>	<b>0.00</b>	<b>251.49</b>	<b>8,885.16</b>	<b>0.00</b>	<b>9,136.65</b>
<b>SMMC ENT (t283305)</b>													
b283	c283	SMMC ENT	Current	C-126596	late	3/4/2024	03/2024	270.46	0.00	0.00	270.46	0.00	270.46
b283	c283	SMMC ENT	Current	C-127722	late	3/10/2024	03/2024	227.75	0.00	0.00	227.75	0.00	227.75
b283	c283	SMMC ENT	Current	C-127787	base	4/1/2024	04/2024	1,706.40	0.00	0.00	1,706.40	0.00	1,706.40
b283	c283	SMMC ENT	Current	C-127788	camest	4/1/2024	04/2024	1,896.61	0.00	0.00	1,896.61	0.00	1,896.61
b283	c283	SMMC ENT	Current	C-127789	capex	4/1/2024	04/2024	97.00	0.00	0.00	97.00	0.00	97.00
b283	c283	SMMC ENT	Current	C-129700	late	4/15/2024	04/2024	189.98	0.00	0.00	189.98	0.00	189.98
b283	c283	SMMC ENT	Current	C-130093	base	5/1/2024	05/2024	1,706.40	0.00	0.00	1,706.40	0.00	1,706.40
b283	c283	SMMC ENT	Current	C-130094	camest	5/1/2024	05/2024	1,896.61	0.00	0.00	1,896.61	0.00	1,896.61
b283	c283	SMMC ENT	Current	C-130095	capex	5/1/2024	05/2024	97.00	0.00	0.00	97.00	0.00	97.00
b283	c283	SMMC ENT	Current	C-131965	late	5/10/2024	05/2024	228.88	0.00	0.00	228.88	0.00	228.88
<b>SMMC ENT</b>							<b>8,317.09</b>	<b>0.00</b>	<b>0.00</b>	<b>228.88</b>	<b>8,088.21</b>	<b>0.00</b>	<b>8,317.09</b>
<b>SMMC OB/Gyn (t2833204)</b>													
b283	c283	SMMC OB/Gyn	Current	C-126597	late	3/4/2024	03/2024	685.40	0.00	0.00	685.40	0.00	685.40
b283	c283	SMMC OB/Gyn	Current	C-127273	late	3/10/2024	03/2024	570.68	0.00	0.00	570.68	0.00	570.68
b283	c283	SMMC OB/Gyn	Current	C-127775	base	4/1/2024	04/2024	4,324.34	0.00	0.00	4,324.34	0.00	4,324.34
b283	c283	SMMC OB/Gyn	Current	C-127776	camest	4/1/2024	04/2024	4,806.36	0.00	0.00	4,806.36	0.00	4,806.36
b283	c283	SMMC OB/Gyn	Current	C-127777	capex	4/1/2024	04/2024	246.00	0.00	0.00	246.00	0.00	246.00
b283	c283	SMMC OB/Gyn	Current	C-129701	late	4/15/2024	04/2024	481.40	0.00	0.00	481.40	0.00	481.40
b283	c283	SMMC OB/Gyn	Current	C-130081	base	5/1/2024	05/2024	4,324.34	0.00	0.00	4,324.34	0.00	4,324.34
b283	c283	SMMC OB/Gyn	Current	C-130082	camest	5/1/2024	05/2024	4,806.36	0.00	0.00	4,806.36	0.00	4,806.36
b283	c283	SMMC OB/Gyn	Current	C-130083	capex	5/1/2024	05/2024	246.00	0.00	0.00	246.00	0.00	246.00
b283	c283	SMMC OB/Gyn	Current	C-131966	late	5/10/2024	05/2024	579.98	0.00	0.00	579.98	0.00	579.98
<b>SMMC OB/Gyn</b>							<b>21,070.86</b>	<b>0.00</b>	<b>0.00</b>	<b>579.98</b>	<b>20,490.88</b>	<b>0.00</b>	<b>21,070.86</b>
<b>SMMC Ortho (t2833101)</b>													
b283	c283	SMMC Ortho	Current	C-126598	late	3/4/2024	03/2024	355.14	0.00	0.00	355.14	0.00	355.14
b283	c283	SMMC Ortho	Current	C-127274	late	3/10/2024	03/2024	289.16	0.00	0.00	289.16	0.00	289.16
b283	c283	SMMC Ortho	Current	C-127757	base	4/1/2024	04/2024	2,080.23	0.00	0.00	2,080.23	0.00	2,080.23
b283	c283	SMMC Ortho	Current	C-127758	camest	4/1/2024	04/2024	2,490.44	0.00	0.00	2,490.44	0.00	2,490.44

**Aging Detail**

DB Caption: live 07/15/2021 Property: b283 Status: Current, Past, Future Age As Of: 07/31/2024 Post To: 07/2024

Property	Customer	Lease	Status	Tran#	Charge Date	Month	Current Owed	0-30 Owed	31-60 Owed	61-90 Owed	Over Due	Pre-Payments	Total Owed
b283	c283	SMNC Ortho	Current	C-127759	capex	4/1/2024	127.00	0.00	0.00	0.00	127.00	0.00	127.00
b283	c283	SMNC Ortho	Current	C-129702	late	4/15/2024	241.33	0.00	0.00	0.00	241.33	0.00	241.33
b283	c283	SMNC Ortho	Current	C-130063	base	5/1/2024	2,080.23	0.00	0.00	0.00	2,080.23	0.00	2,080.23
b283	c283	SMNC Ortho	Current	C-130064	camest	5/1/2024	2,490.44	0.00	0.00	0.00	2,490.44	0.00	2,490.44
b283	c283	SMNC Ortho	Current	C-130065	capex	5/1/2024	127.00	0.00	0.00	0.00	127.00	0.00	127.00
b283	c283	SMNC Ortho	Current	C-131967	late	5/10/2024	290.72	0.00	0.00	290.72	0.00	0.00	290.72
<b>SMNC Ortho</b>						<b>10,571.69</b>	<b>0.00</b>	<b>0.00</b>	<b>290.72</b>	<b>10,280.97</b>	<b>0.00</b>	<b>10,571.69</b>	

**SMMC Wound Care (t283:106)**

b283	c283	SMMC Wound Care	Current	C-126599	late	3/4/2024	1,094.63	0.00	0.00	0.00	1,094.63	0.00	1,094.63
b283	c283	SMMC Wound Care	Current	C-127275	late	3/19/2024	911.37	0.00	0.00	0.00	911.37	0.00	911.37
b283	c283	SMMC Wound Care	Current	C-127763	base	4/1/2024	6,906.29	0.00	0.00	0.00	6,906.29	0.00	6,906.29
b283	c283	SMMC Wound Care	Current	C-127764	camest	4/1/2024	7,676.12	0.00	0.00	0.00	7,676.12	0.00	7,676.12
b283	c283	SMMC Wound Care	Current	C-127765	capex	4/1/2024	392.00	0.00	0.00	0.00	392.00	0.00	392.00
b283	c283	SMMC Wound Care	Current	C-129703	late	4/15/2024	768.75	0.00	0.00	0.00	768.75	0.00	768.75
b283	c283	SMMC Wound Care	Current	C-130069	base	5/1/2024	6,906.29	0.00	0.00	0.00	6,906.29	0.00	6,906.29
b283	c283	SMMC Wound Care	Current	C-130070	camest	5/1/2024	7,676.12	0.00	0.00	0.00	7,676.12	0.00	7,676.12
b283	c283	SMMC Wound Care	Current	C-130071	capex	5/1/2024	392.00	0.00	0.00	0.00	392.00	0.00	392.00
b283	c283	SMMC Wound Care	Current	C-131968	late	5/10/2024	926.21	0.00	0.00	926.21	0.00	0.00	926.21
<b>SMMC Wound Care</b>						<b>33,649.81</b>	<b>0.00</b>	<b>0.00</b>	<b>926.21</b>	<b>32,723.60</b>	<b>0.00</b>	<b>33,649.81</b>	

**Steward Health Care (t283cs)**

b283	c283	Steward Health Care	Current	C-126600	late	3/4/2024	736.24	0.00	0.00	0.00	736.24	0.00	736.24
b283	c283	Steward Health Care	Current	C-127276	late	3/10/2024	351.89	0.00	0.00	0.00	351.89	0.00	351.89
b283	c283	Steward Health Care	Current	C-127791	capex	4/1/2024	264.00	0.00	0.00	0.00	264.00	0.00	264.00
b283	c283	Steward Health Care	Current	C-129704	late	4/15/2024	282.23	0.00	0.00	0.00	282.23	0.00	282.23
b283	c283	Steward Health Care	Current	C-130096	C&S	5/1/2024	5,162.89	0.00	0.00	0.00	5,162.89	0.00	5,162.89
b283	c283	Steward Health Care	Current	C-130097	capex	5/1/2024	264.00	0.00	0.00	0.00	264.00	0.00	264.00
b283	c283	Steward Health Care	Current	C-131969	late	5/10/2024	339.32	0.00	0.00	0.00	339.32	0.00	339.32
b283	c283	Steward Health Care	Current	C-132279	C&S	6/1/2024	0.89	0.00	0.89	0.00	0.00	0.00	0.89
b283	c283	Steward Health Care	Current	C-134353	C&S	7/1/2024	5,162.89	0.00	0.00	0.00	0.00	0.00	5,162.89
<b>Steward Health Care</b>						<b>12,564.35</b>	<b>5,162.89</b>	<b>0.89</b>	<b>339.32</b>	<b>7,061.25</b>	<b>0.00</b>	<b>12,564.35</b>	

**b283****Grand Total**

171,322.89	5,162.89	0.89	4,772.00	161,387.11	0.00	171,322.89
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UserId : showard@cornerstonecompaniesinc.com Date : 7/23/2024 Time : 11:08 AM

7/29/2024 11:59 AM

# EXHIBIT B

ARTICLES OF MERGER

FILED  
In the Office of the  
Secretary of State of Texas  
DEC 30 1994

Corporations Section

To the Secretary of State of the State of Texas.

Pursuant to the provisions of Article 5 01 and 5 04 of the Texas Business Corporation Act, the undersigned corporations adopt the following articles of merger for the purpose of effecting a merger under the Texas Business Corporation Act.

**ARTICLE ONE**

A Plan of merger adopted in accordance with the provisions of article 5 04 of the Texas Business Corporation act providing for the combination of Scenic Mountain Medical Center, Inc and Big Spring Hospital Corporation and resulting in Big Spring Hospital Corporation being the surviving corporation.

**ARTICLE TWO**

The name of each of the undersigned corporations and the type of corporation and the laws under which such corporation was organized are:

<u>Name of Corporation</u>	<u>Type</u>	<u>State</u>
Scenic Mountain Medical Clinic, Inc.	for profit	Texas
Big Spring Hospital Corporation	for profit	Texas

**ARTICLE THREE**

The following plan of merger was approved by unanimous written consent of the directors and sole shareholder of Big Spring Hospital Corporation and adopted on December 29, 1994, and by unanimous written consent of the directors and sole shareholder of Scenic Mountain Medical Center, Inc and adopted on December 29, 1994

Scenic Mountain Medical Center, Inc , an Texas corporation, shall merge into Big Spring Hospital Corporation, an Texas corporation, without any consideration payable to the shareholder of Scenic Mountain Medical Center, Inc. The stock of Scenic Mountain Medical Center, Inc. shall be cancelled and the stock of Big Spring Hospital Corporation shall remain outstanding as the shares of the surviving corporation.

## ARTICLE FOUR

As to each of the undersigned domestic corporations, the approval of whose shareholders is required, the number of outstanding shares of each class or series of stock of such corporation entitled to vote, with other shares or as a class, on the Plan of Merger are as follows

<u>Name of Corporation</u>	<u>Number of Shares Outstanding</u>	<u>Designation of Class or Series</u>	<u>Number of Shares Entitled to Vote as Class or Series</u>
Scenic Mountain Medical Clinic, Inc.	for profit	common stock	1,000
Big Spring Hospital Corporation	for profit	common stock	1,000

## ARTICLE FOUR

The merger will become effective on a delayed date and time of December 31, 1994 at 11.59 PM, or upon filing of these Articles with the Secretary of State for the State of Texas, whichever occurs later, in accordance with the provisions of article 10 03 of the Texas Business Corporation Act

IN WITNESS WHEREOF, the undersigned corporations have caused these articles of merger to be executed in its name by its Senior Vice President and Assistant Secretary, as of the 29th day of December, 1994

BIG SPRING HOSPITAL CORPORATION

By Tyree G. Wilburn  
Tyree G. Wilburn  
Senior Vice President

SCENIC MOUNTAIN MEDICAL CENTER, INC.

By: Tyree G. Wilburn  
Tyree G. Wilburn  
Senior Vice President

PLAN OF MERGER

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This Plan of Merger is prepared pursuant to the provisions of Article 5.04 of Texas Business Corporation Act

1. The name of the merging corporations are Scenic Mountain Medical Center, Inc. and Big Spring Hospital Corporation. Both corporations are organized under the laws of the State of Texas

2 The name of the surviving corporation is Big Spring Hospital Corporation

3. Each corporation is for profit

4 The terms and conditions of the proposed merger are.

Scenic Mountain Medical Center, Inc., an Texas corporation, shall merge into Big Spring Hospital Corporation, an Texas corporation, without any consideration payable to the shareholder of Scenic Mountain Medical Center, Inc

5 The manner and basis of converting the shares of each corporation into shares, obligations or other securities of the surviving or any other corporation or into cash or other property, in whole or in part, is as follows

The stock of Scenic Mountain Medical Center, Inc shall be cancelled and the stock of Big Spring Hospital Corporation shall remain outstanding as the shares of the surviving corporation

Dated December 29, 1994

SCENIC MOUNTAIN MEDICAL  
CENTER, INC.

By Signatures

Capacity: \_\_\_\_\_

BIG SPRING HOSPITAL CORPORATION

By Signatures

Capacity: \_\_\_\_\_



## TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

JOHN SHARP • COMPTROLLER • AUSTIN, TEXAS 78774

KB/2H17

### CERTIFICATION OF ACCOUNT STATUS

THE STATE OF TEXAS

COUNTY OF TRAVIS

I, John Sharp, Comptroller of Public Accounts of the State of Texas, DO HEREBY CERTIFY that according to the current records of this office

SCENIC MOUNTAIN MEDICAL CENTER, INC.

is out of business, that all required reports for taxes administered by the Comptroller have been filed and that the taxes due on those reports have been paid. This certificate may be used for the purpose of dissolution, merger or withdrawal.

This certificate is valid through December 31, 1994.

GIVEN UNDER MY HAND AND  
SEAL OF OFFICE in the  
City of Austin, this  
30th day of December , 1994 A.D.

A handwritten signature in black ink, appearing to read "John Sharp".

JOHN SHARP  
Comptroller of Public Accounts